

REMARKS

This application has been reviewed in light of the Office Action dated February 5, 2004. Claims 1, 3, 5-7, 9-14, and 16-19 are presented for examination. Claims 1, 3, 5, 12, and 18, the only claims in independent form, have been amended to define Applicants' invention more clearly. Favorable reconsideration is requested.

The Office Action states that Claims 1, 3, 5-7, 9-14, and 16-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,330,022 (Seligmann) in view of U.S. Patent No. 6,025,870 (Hardy), and further in view of U.S. Patent No. 6,460,084 (Van Horne et al.). Applicants respectfully traverse the rejections and submit that independent Claims 1, 3, 5, 12, and 18, together with the claims dependent therefrom, are patentably distinct from the cited references for at least the following reasons.

An aspect of the present invention set forth in Claim 1 is directed to a control method for a home office system that includes user terminal devices each of which includes a display device. According to the method, a virtual space is provided on a display device for each user of the user terminal devices. A physical condition of a user is monitored based on an image of the user picked up by a camera. A display of virtual space of the user is automatically changed on each display device to a display of a virtual space for rest when it is determined that the user should take a rest, based on a result of monitoring the user's physical condition. This allows the user to informally communicate with other users present in a common virtual space for rest.

One of the notable features of Claim 1 is that the displayed virtual space of the user is automatically changed based on the physical condition of the user, which is monitored based on the image of the user picked up by the camera. (See, for example, the specification at

page 16, lines 8-14.)

Seligmann and Hardy both relate to video conferencing systems. In the Office Action, it is conceded that Seligmann does not disclose the control feature of Claim 1, and it is alleged that Hardy remedies this deficiency by teaching the use of a video switch 30 for switching video information displayed on a display monitor 50 to other video information when event information provided by a notification allows the video conferencing system to determine that switching should occur.

It also is conceded in the Office Action that Seligmann does not teach the feature of automatically changing a displayed virtual space of a user based on a physical condition of the user, and it is alleged that Van Horne et al. remedies this deficiency.

Van Horne et al. relates to a system for managing communications between a user and a network. As understood by Applicants, Van Horne et al. teaches that a user sends a message to a connecting network when the user wants to view a web page. A portal server 110 intercepts the user's request and determines whether the user is already connected through the portal. If so, the portal routes the request to the Internet, where the request is delivered to an information source 112, 114 so that the requested web page may be returned to the user; if not, the portal determines the physical *location* of the user and provides the user with a redirected page for display. The portal server then changes the user's session status to show that the user is connected. (See column 3, lines 19-45.)

Applicants submit that a combination of Seligmann, Hardy, and Van Horne et al., assuming such combination would even be permissible, would fail to teach or suggest a control method for a home office system that includes user terminal devices each of which

includes a display device, wherein the method includes "a monitoring step, of monitoring a physical condition of a user based on an image of the user picked up by a camera," and "a control step, of automatically changing on each display device a display of a virtual space of the user to a display of a virtual space for rest when it is determined that the user should take a rest, based on a result in said monitoring step, so that the user may informally communicate with other users present in a common virtual space for rest," as recited in Claim 1.

Nothing has been found in any of the cited references that is believed to even suggest monitoring a physical condition of a user based on an image of the user picked up by a camera. Applicants note that Seligmann discloses that images of conferees may be superimposed on an image of a conference table to create a display of a "life-like conference setting" (see column 5, lines 4-7), but does not disclose the monitoring of a user's physical condition based on an image of the user picked up by a camera.<sup>1</sup> Similarly, Hardy and Van Horne et al. are silent regarding this feature.

The Office Action states that "Van Horne discloses determining of a user's identity including a physical a location, and providing the user with a redirected page for display in a user graphical interface program." Applicants respectfully submit, however, that a user's physical *location* is not suggestive of the user's physical *condition*. In fact, as understood by Applicants, the phrase "physical location" as used in Van Horne et al. refers to the location of the computer used by a user to request access to a web page, such as "FRONT OFFICE" or "D.

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<sup>1</sup> The Office Action at page 3, second paragraph, refers to "Seligmann's 'self view'." However, the phrase "self view" could not be found in Seligmann and therefore clarification is respectfully requested as to what feature is supposed to be identified by that phrase.

HOTEL ROOM 203" (see, for example, the abstract; column 3, lines 33-38; and item 406 of Fig. 4).

Further, because the cited references fail to disclose or suggest the monitoring feature of Claim 1, those references could not disclose or suggest the control feature of Claim 1, which performs a control function according to a result of monitoring a user's physical condition based on an image of the user picked up by a camera.

Accordingly, Applicants submit that Claim 1 is patentable over the cited references and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claims 3, 5, 12, and 18 include similar monitoring and control features and therefore are believed to be patentable for at least the reasons discussed above in connection with Claim 1. Additionally, the other rejected claims in this application depend from one or another of the independent claims discussed above, and therefore are submitted to be patentable for at least the same reasons. Nevertheless, because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.


In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and an early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the present Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

CONCLUSION

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

  
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